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09/992,034	11/23/2001	Jack E. Caveney	LCB358A	4452

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EXAMINER

DUONG, THOMAS

ART UNIT PAPER NUMBER

2145

DATE MAILED: 06/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/992,034

Applicant(s)

CAVENEY, JACK E.

Examiner

Thomas Duong

Art Unit

2145

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 November 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2/27/02, 1/21/03.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the claimed invention must be shown or the feature(s) canceled from the claim(s). No new matter should be entered. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application.

Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-4 are rejected under 35 U.S.C. 102(e) as being anticipated by Krupta et al. (US005483467A).

4. With regard to claim 1, Krupta discloses,

- a computer processor; (Krupta, col.6, lines 37-55)

Krupta teaches of “a main computer 10, ... which is coupled ... to a plurality of computer ports forming part of a distributed panel 18” (Krupta, col.6, lines 40-44).

- a scanner in communication with said computer processor, said scanner capable of polling at least information therefrom; (Krupta, col.6, lines 56-65)

Krupta teaches of “a scanner 30 [which] is provided for automatically and preferably, continuously sensing the interconnection arrangement of the patching cables and thus the interconnection status of the various computer ports 16 and user ports 20” (Krupta, col.6, lines 56-62).

- a plurality of local system ports disposed at distinct physical locations within said system, said local system ports in communication with said computer processor; and (Krupta, col.6, lines 37-55)

Krupta teaches of *"a main computer 10, ... which is coupled ... to a plurality of computer ports forming part of a distributed panel 18"* (Krupta, col.6, lines 40-44).

- *at least one visual indicator corresponding to and disposed proximately to at least a plurality of said data ports, whereby when one of said data ports is placed in communication with one of said local system ports, said visual indicator corresponding to said data port may display information about said corresponding data port.* (Krupta, col.1, lines 56-58)

Krupta teaches of an *"output apparatus, coupled to the apparatus for identifying, for providing an output indication of the connection pattern"* (Krupta, col.1, lines 56-58).

5. With regard to claims 2-4, Krupta discloses,

- *wherein said plurality of data ports are distributed over and disposed upon a plurality of network racks and each of said racks includes at least one local system port disposed proximately thereto.* (Krupta, col.6, lines 37-62)

Krupta teaches of *"a main computer 10, ... which is coupled ... to a plurality of computer ports forming part of a distributed panel 18"* (Krupta, col.6, lines 40-44) and *"a scanner 30 [which] is provided for automatically and preferably, continuously sensing the interconnection arrangement of the patching cables and thus the interconnection status of the various computer ports 16 and user ports 20"* (Krupta, col.6, lines 56-62).

- *wherein said scanner periodically polls all of said data ports in said system.* (Krupta, col.6, lines 37-62)

- *wherein said scanner polls at least said data port in communication with said local system port while said data port and local system port are in communication with each other. (Krupta, col.6, lines 37-62)*

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 5-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Krupta et al. (US005483467A) and in view of Smith (US005583874A).

8. With regard to claims 5, 13, 21, and 23-25, Krupta discloses,

- *a computer processor; (Krupta, col.6, lines 37-55)*
Krupta teaches of "a main computer 10, ... which is coupled ... to a plurality of computer ports forming part of a distributed panel 18" (Krupta, col.6, lines 40-44).
- *a scanner in communication with said computer processor, said scanner capable of polling at least information therefrom; (Krupta, col.6, lines 56-65)*
Krupta teaches of "a scanner 30 [which] is provided for automatically and preferably, continuously sensing the interconnection arrangement of the patching cables and thus the interconnection status of the various computer ports 16 and user ports 20" (Krupta, col.6, lines 56-62).

Art Unit: 2145

- *a plurality of local system ports disposed at distinct physical locations within said system, said local system ports in communication with said computer processor; and (Krupta, col.6, lines 37-55)*

Krupta teaches of “a main computer 10, ... which is coupled ... to a plurality of computer ports forming part of a distributed panel 18” (Krupta, col.6, lines 40-44).

However, Krupta does not explicitly disclose,

- *a portable information module for connecting to respective ones of said plurality of local system ports, whereby when said portable information module is connected to one of said local system ports, said portable information module may be placed into communication with and display information about respective ones of said data ports in said system.*

Smith teaches,

- *a portable information module for connecting to respective ones of said plurality of local system ports, whereby when said portable information module is connected to one of said local system ports, said portable information module may be placed into communication with and display information about respective ones of said data ports in said system. (Smith, col.1, line 53 – col.2, line 37)*
- Smith teaches of a portable LAN link tester device that connects into two separate devices to test the connection or link of the devices and provide feedback to the user via the indicators.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Smith with the teachings of Krupta to provide a simple network link tester which a user can use to determine if there is a problem with the network. Furthermore, the combination of the teachings

of Smith and Krupta provide for a very useful device by making it compact and portable which helps the administrators to troubleshoot the network should it arises.

9. With regard to claims 6-12 and 22, Krupta discloses,

- *wherein said plurality of data ports are distributed over and disposed upon a plurality of network racks and each of said racks includes at least one local system port disposed proximately thereto. (Krupta, col.6, lines 37-62)*

Krupta teaches of "a main computer 10, ... which is coupled ... to a plurality of computer ports forming part of a distributed panel 18" (Krupta, col.6, lines 40-44) and "a scanner 30 [which] is provided for automatically and preferably, continuously sensing the interconnection arrangement of the patching cables and thus the interconnection status of the various computer ports 16 and user ports 20" (Krupta, col.6, lines 56-62).

- *wherein said system further includes a second portable information module for connecting to respective ones of said plurality of local system ports, wherein when said second module is connected to one of said local system ports, said second module may be placed into communication with and display information about respective ones of said data ports in said system, said second module being able to function on said revision system simultaneously with said other portable information module. (Krupta, col.6, lines 37-62)*
- *wherein said scanner periodically polls all of said data ports in said system. (Krupta, col.6, lines 37-62)*

Art Unit: 2145

10. With regard to claims 14-17, Krupta and Smith disclose,

- *wherein said indicator includes a visual indicator.* (Krupta, col.1, lines 56-58; Smith, col.1, line 53 – col.2, line 37)
- *wherein said visual indicator includes a light-emitting diode.* (Krupta, col.1, lines 56-58; Smith, col.1, line 53 – col.2, line 37)
- *wherein said visual indicator includes a liquid crystal display.* (Krupta, col.1, lines 56-58; Smith, col.1, line 53 – col.2, line 37)
- *wherein said visual indicator includes a color display screen.* (Krupta, col.1, lines 56-58; Smith, col.1, line 53 – col.2, line 37)

11. With regard to claims 18-20, Krupta and Smith disclose,

- *wherein at least one of said data ports includes a port plate disposed proximately thereto.* (Krupta, col.6, lines 37-62)

Krupta teaches of “a main computer 10, ... which is coupled ... to a plurality of computer ports forming part of a distributed panel 18” (Krupta, col.6, lines 40-44) and “a scanner 30 [which] is provided for automatically and preferably, continuously sensing the interconnection arrangement of the patching cables and thus the interconnection status of the various computer ports 16 and user ports 20” (Krupta, col.6, lines 56-62).
- *wherein one of said data ports includes a patch cord plug inserted therein, said patch cord plug disposed at an end of said patch cord and including a plug extension for contacting said port plate when said patch cord plug is inserted in said data port.* (Krupta, col.1, lines 56-58; Smith, col.1, line 53 – col.2, line 37)

Art Unit: 2145


- *wherein said patch cord plug includes a plug plate thereon, said plug plate being connectable to said portable information module. (Krupta, col.1, lines 56-58; Smith, col.1, line 53 – col.2, line 37)*

Conclusion

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas Duong whose telephone number is 571/272-3911. The examiner can normally be reached on M-F 7:30AM - 4:00PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Valencia Martin-Wallace can be reached on 571/272-6159. The fax phone numbers for the organization where this application or proceeding is assigned are 703/872-9306 for regular communications and 703/872-9306 for After Final communications.

Thomas Duong (AU2145)

June 24, 2005


VALENCIA MARTIN-WALLACE
SUPERVISORY PATENT EXAMINER